

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA

UNITED STATES OF AMERICA)	JUDGE CARTER
)	
v.)	
)	SDGA Case No. CR 409-319
)	EDTN Mag. No. 1-09-mj-426
DONI FRANKLIN WAGONER		

MEMORANDUM AND ORDER

The defendant appeared for a hearing before the undersigned on December 3, 2009, in accordance with Rule 5 of the Federal Rules of Criminal Procedure, on the Indictment and Warrant for Arrest out of the Southern District of Georgia at Savannah. Those present for the hearing included:

- (1) AUSA Mel Schwing for the USA.
- (2) Defendant Doni Franklin Wagoner.
- (3) Attorney Rita LaLumia for the defendant.
- (4) Courtroom Deputy Kelli Jones.

After being sworn in due form of law, the defendant was informed or reminded of his privilege against self-incrimination accorded him under the 5th Amendment to the United States Constitution.

It was determined the defendant wished to be represented by an attorney and he qualified for the appointment of an attorney to represent him at government expense. Attorney Rita LaLumia of Federal Defender Services was appointed to represent the defendant. It was ascertained defendant had been provided with a copy of the Indictment and Warrant for Arrest and had the opportunity of reviewing those documents with Atty. LaLumia. It was determined defendant was capable of being able to read and understand the copy of the aforesaid documents he had been provided.

AUSA Schwing stated the government did not oppose defendant's release on a \$20,000.00 unsecured bond pending an appearance in the Southern District of Georgia at Savannah.

Findings

- (1) The defendant waived his Rule 5 identity hearing.

Conclusions

_____ It is ORDERED:

(1) The defendant shall be RELEASED ON A \$20,000.00 UNSECURED BOND pending his appearance in the prosecuting district. Conditions of bond are set out in separate bond documents.

(2) The defendant shall report to the U.S. District Court in the Southern District of Georgia at Savannah on **Thursday, December 10, 2009, at 9:00 am.**

ENTER.

Dated: December 3, 2009

s/William B. Mitchell Carter
UNITED STATES MAGISTRATE JUDGE